

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kenichi Chiba *et al.*

Application No.: 10/657,910

Confirmation No.: 5169

Filed: September 9, 2003

Art Unit: 1625

For: MACROCYCLIC COMPOUNDS USEFUL AS
PHARMACEUTICALS

Examiner: OH, Taylor V.

RESPONSE TO RESTRICTION REQUIREMENT

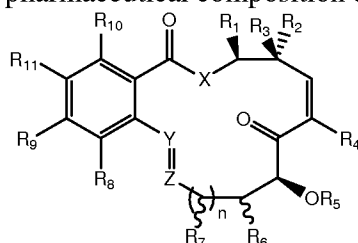
MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is responsive to the restriction requirement set forth in the Office Action mailed February 23, 2007.

The Examiner has required restriction between the following inventions in the above-identified application:

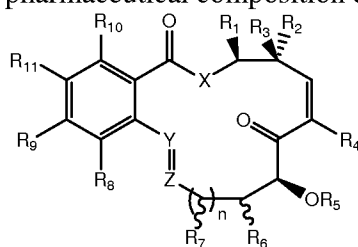
Group I: Claims 1-24, 27-31, 33, 36, 38-40, 42-43, 45-63 and 65-66, drawn to a pharmaceutical composition containing the following formula:



wherein X, Y, or Z is equal to nitrogen, classified in class 540, subclasses 455 and 468;

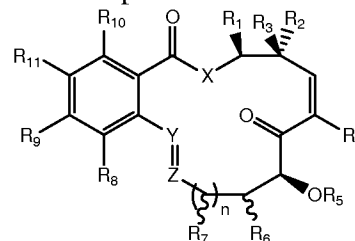
Group II: Claims 39-40, 42-43 and 45, drawn to a method for treating rheumatoid arthritis, psoriasis, asthma, sepsis, inflammatory bowel disease, atopic dermatitis or Crohn's disease;

Group III: Claims 1-24, 27-31, 33, 36, 38-40, 42-43, 45-63 and 65-66, drawn to a pharmaceutical composition containing the following formula:



wherein X, Y, or Z is equal to oxygen, classified in class 549, subclass 267;

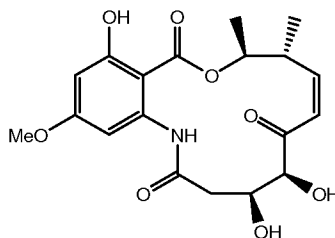
Group IV: Claims 1-24, 27-31, 33, 62-63 and 65-66, drawn to a pharmaceutical



composition containing the following formula:

wherein X is equal to oxygen Y and Z are carbon, classified in class 549, subclass 266; or

Group V: Claims 61 and 64, drawn to a pharmaceutical composition containing the



following formula:

, classified in class 540, subclass

450.

Accordingly, Applicants hereby elect Group IV, claims 1-24, 27-31, 33, 62-63 and 65-66, for continued examination.

It is Applicants' understanding that, upon finding of an allowable product claim, method claims that depend from or otherwise include all the limitations of an allowable composition claim will be re-joined in accordance with the provisions of MPEP § 821.04. Accordingly, Applicants respectfully request rejoinder of the claims of Group II, in pertinent part, should any of the pending composition claims be found to be allowable.

If a telephone conversation with Applicants' attorney would expedite prosecution of the above-identified application, the Examiner is urged to call Applicants' Attorney at (617) 227-

Application No.: 10/657,910

Docket No.: EISN-018CP

7400. Please charge any overpayment and credit any underpayment to our Deposit Account No. 12-0080, under Order No. EISN-018CP from which the undersigned is authorized to draw.

Dated: April 23, 2007

Respectfully submitted,

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